

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA	*	
	*	CRIMINAL NO. 10-001-1-KD-C
v.	*	
	*	
DENNIS J. McMILLIAN	*	

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on August 6, 2010, the Defendant agreed to the entry of a Preliminary Order of Forfeiture including a **money judgment in the amount of \$2,500,000.00, more or less, jointly and severally payable**, representing proceeds from the offenses alleged in the Indictment, for which the Defendant has entered a guilty plea, and

WHEREAS, the United States has filed a Motion for Entry of Preliminary Order of Forfeiture (Doc. 75) which would consist of a personal money judgment against the Defendant in the amount of **\$2,500,000.00, more or less, jointly and severally payable**, and

WHEREAS, Rule 32.2(c)(1) provides that "no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment,"

NOW THEREFORE, IT IS HEREBY **ORDERED, ADJUDGED AND DECREED** that the Defendant shall forfeit to the United States the sum of **\$2,500,000.00, jointly and severally payable**, pursuant to Title 18, United States Code, Section 982(a)(2) and Title 28, United States Code, Section 2461(c).

IT IS FURTHER **ORDERED** that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER **ORDERED** that pursuant to Rule 32.2(b)(3), this Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment; and

IT IS FURTHER **ORDERED** that the United States may, at any time, move pursuant to Rule 32.2(e) to amend this Preliminary Order of Forfeiture to substitute property having a value not to exceed **\$2,500,000.00, jointly and severally payable**, to satisfy the money judgment in whole or in part; and

IT IS FURTHER ORDERED that the Clerk of the Court shall forward five (5) certified copies of this Order to United States Attorney's Office, Southern District of Alabama, Attention: Assistant U. S. Attorney John G. Cherry.

DONE and ORDERED this the **22nd** day of **October 2010**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE